

APPENDIX A

This chart summarizes the entrepreneurial opportunity evidence that XPO attempted to bring in.

Description of Entrepreneurial Opportunity Evidence	Location in Transcript or Exhibit
2015 Owner-Operator Income with Number of Trucks and Number of Second-Seat Drivers	Exhibit 43
2016 Owner-Operator Income with Number of Trucks and Number of Second-Seat Drivers	Exhibit 44
2017 Owner-Operator Income with Number of Trucks and Number of Second-Seat Drivers	Exhibit 45
Total Amount of Premiums Paid at Above the Schedule B	Exhibit 46
Total Amount of Owner-Operators Who Have Second-Seat Drivers, But Do 100% of the Moves Themselves	Exhibit 47
Total Amount of Owner-Operators with Second-Seat Drivers	Exhibit 48
Driver Count by Owner-Operators With Percentage of Moves Done by Owner-Operators	Exhibit 49
2015 Owner-Operator 1099 Forms	Exhibit 50
2015 Owner-Operator 1099 Forms	Exhibit 51
2015 Owner-Operator 1099 Forms	Exhibit 52
2016 Owner-Operator 1099 Forms	Exhibit 53
2016 Owner-Operator 1099 Forms	Exhibit 54
2016 Owner-Operator 1099 Forms	Exhibit 55
2017 Owner-Operator 1099 Forms	Exhibit 56
2017 Owner-Operator 1099 Forms	Exhibit 57

2017 Owner-Operator 1099 Forms	Exhibit 58
Underlying Settlement Data Showing Owner-Operators' Trucks and Drivers	Exhibit 60
Underlying Settlement Data Showing Owner-Operators' Trucks and Drivers	Exhibit 61
Discretionary Payments Made Above Schedule B, and Communications About Whether to Offer those Payments	Tr. 2236 - 38 (Offer of Proof)
Discussions with Owner-Operators on How to Better Take Advantage of the Opportunities Available at XPO,	Tr. 2246 (Offer of Proof)
Owner-Operators who Took Advantage and Were Successful in Increasing their Compensation	Tr. 2247 - 48 (Offer of Proof)
Owner-Operators Maximizing Their Efficiency	Tr. 2249 - 50 (Offer of Proof)
Owner-Operators Seeking to Maximize their Compensation by Four Main Methods: (1) Choosing to Drive or Not Drive for XPO in the First Instance; (2) Choosing Whether to Have Multiple Drivers as an Owner-Operator, or to Purchase and Use Multiple Trucks; (3) Specialties in Particular Types of Loads and Moves that Affect both Load Selection and Deliveries; and (4) Negotiations over Premium and Incentive Payments above Schedule B.	Tr. 2272 - 82 (Offer of Proof)
Competition between Owner-Operators For the Services of Second-Seat Drivers, and Rate Negotiations between Owner-Operators and their Second-Seat Drivers	Tr. 2339 - 40 (Offer of Proof)
Second-Seat Drivers Switching Owner-Operators	Tr. 2344 (Offer of Proof)
Process Required for an Owner-Operator to also Work for a Competitor of XPO	Tr. 2345; 2346 - 47 (Offers of Proof)
Actual Number of Owner-Operators With Second-Seat Drivers	Tr. 2472 - 73 (Offer of Proof)